N THE UNITED STATES PATENT AND TRADEMARK OFFICE ication of : Samstag, W. et al) Art Unit: 1626 U.S. Appln. No. : 10/727,214) Examiner: Confirmation No.: 8889 U.S. Filing Date : 12/03/2003 Title of Invention: Process For Preparation Of An Essentially Pure Polymorph Of An N-Pyrazolyl-N'-Naphthyl-Urea Attny. Docket No.: 1/1441 Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 July 15, 2004 TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT Sir: Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A and B) with copies of all references cited therein. This is being submitted pursuant to 37 C.F.R. §1.56 and before the mailing of a first Office Action on the merits, pursuant to 37 CFR § 1.97(b). It should be noted that the references listed in the Information Disclosure Statement have been cited in the International Search Report (ISR) for PCT/EP 03/14128, which corresponds to the present US application. A copy of that ISR is enclosed herewith. This Statement is being filed: i) within three (3) months of the filing M 1.97(b). date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a

notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes

prosecution in the application. This Statement is being accompanied by:

1.97(c).

This Statement is being filed after the time period specified in 37

		The fee set forth in 37 C.F.R. §1.17(p).
		The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.
] §1.97(statem §1.17(ient as s	This Statement is being filed after the period specified in 37 C.F.R. on or before payment of the issue fee. This Statement is accompanied by a pecified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R.
	1.97(e).
	counte	Each item of information contained in the instant information disclosure tent was first cited in any communication from a foreign patent office in a expart foreign application not more than three (3) months prior to the filing of stant information disclosure statement; or
	foreig makin inform C.F.R	No item of information contained in the instant information disclosure nent was cited in a communication from a foreign patent office in a counterpart in application, and, to the knowledge of the person signing this certification after agreasonable inquiry, no item of information contained in the instant nation disclosure statement was known to any individual designated in 37 at \$1.56(c) more than three (3) months prior to the filing of the instant nation disclosure statement.
		The fee set forth in 37 C.F.R. §1.17(p).
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count in sec	terpart a ction 1.5	(d). Each item of information contained in the accompanying information attement was cited in a communication from a foreign patent office in a pplication, which communication was not received by any individual designated 6(c) more than thirty (30) days prior to the filing of the accompanying disclosure statement.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,

Anthony P. Bottino

Attorney for Applicant(s)

Reg. No. 41,629

Patent Department Boehringer Ingelheim Corp. 900 Ridgebury Road, P.O. Box 368 Ridgefield, CT 06877 Tel: (203) 791-6764 Certificate of Mailing

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Application Number	10/727,214	
Filing Date	12/03/2003	
First Named Inventor	Wendelin SAMSTAG	
Art Unit	1626	
Examiner Name		

Attorney Docket Number | 1/1441

-			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 2002/0123631 A1	09/05/2002	Tan, Z. et al	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ (Number ⁴ 'Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		WO 01/04115 A2	01/18/2001	BI Pharm., Inc.		
••••••		WO 00/43384 A1	07/27/2000	Bl Pharm., Inc.		
	 	WO 02/066442 A1	08/29/2002	BI Pharm., Inc.		
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Examiner	Date Considered	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patents of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.